

1 D. GEORGE SWEIGERT, C/O  
2 P.O. BOX 152  
MESA, AZ 85211

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SOUTHERN DISTRICT OF NEW YORK

3  
4 **IN THE UNITED STATES DISTRICT COURT**  
5 **FOR THE SOUTHERN DISTRICT OF NEW YORK**  
6 **(FOLEY SQUARE)**

7 D. GEORGE SWEIGERT

Case No.: 1:18-cv-08653-UA

8 Plaintiff,

**JURY TRIAL DEMANDED**

9 vs.  
JASON GOODMAN

10 **PLAINTIFF'S MOTION FOR LEAVE TO FILE**  
11 **SECOND AMENDED COMPLAINT PER FRCP**  
12 **15(A)**

And  
PATREON, INC. (proposed)

13 Defendants

14 **CDNY**  
15 **DOCUMENT**  
16 **ELAW ELECTRONICALLY FILED**  
17 **10-17-18**  
18 **DOC#**

19 NOW COMES THE PRO SE plaintiff, a layman non-attorney who is acting in the capacity of private  
20 attorney general in a public interest lawsuit, to respectfully request this Court grant **PLAINTIFF'S MOTION**  
21 **FOR LEAVE TO FILE SECOND AMENDED COMPLAINT PER FRCP 15(a)** ("The court should freely give  
22 leave when justice so requires.").

23 For the reasons and rationale expressed in the accompanying MEMORANDUM POINTS AND  
24 AUTHORITIES IN SUPPORT OF PLAINTIFF'S MOTION FOR LEAVE TO FILE SECOND AMENDED  
25 COMPLAINT PER FRCP 15(a) the Court should approve this motion and ORDER that the proposed Second  
26 Amended Complaint become the operative complaint for this litigation.

27 The proposed Second Amended Complaint, filed contemporaneously with this pleading, refines the scope  
28 of issues created by the Change of Venue as articled in the decision of the U.S. District Judge (Doc. No. 27,  
09/17/2018) and the recommendation of the U.S. Magistrate (Doc. No. 22, 08/29/2018). Almost four (4) months

1 have passed since the filing of the operative Amended Complaint in South Carolina (Doc. No. 5, filed 06/29/2018  
2 [herein the **AC**]. Circumstances have changed which require a more current complaint.

3 Additionally, as New York State has published its own racketeering law, **New York Penal Law - PEN §**  
4 **460.00**, and South Carolina does not have such a law, legal deficiencies of the **AC** require correction.

5 The Plaintiff also seeks permission of the Court to add PATREON, INC., a California corporation, as a co-  
6 defendant. Therefore, the Plaintiff relies on F.R.C.P. Rule 21 to seek joinder of parties (PATREON, Inc.).

7  
8 Dated this day of October 12, 2018  
9

10 Respectfully submitted.  
11



12 D. GEORGE SWEIGERT  
13 Pro se non-attorney acting as a private attorney general  
14 for this public interest lawsuit  
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6 D. GEORGE SWEIGERT

Case No.: 1:18-cv-08653-UA

7 Plaintiff,

8 vs.

9 JASON GOODMAN

10 Defendant

CERTIFICATE OF SERVICE

11  
12 CERTIFICATE OF SERVICE  
13

14 The Plaintiff certifies under penalties of perjury that the enclosed documents have been sent via First Class  
15 postage paid U.S. Mail to:

16  
17 Jason Goodman  
252 7<sup>th</sup> Avenue #6S  
18 New York, NY 10001

19 PRO SE DIVISION  
20 Clerk of the Court  
U.S. District Court for the SDNY  
(FOLEY SQUARE)  
21 500 Pearl Street  
22 New York, New York 10007-1312

23  
24 Respectfully dated this day 12 October, 2018,

25  
26   
27

28 D. GEORGE SWEIGERT

CERTIFICATE OF SERVICE